

Amendment No. 1 to SB2480

Bailey
Signature of Sponsor

AMEND Senate Bill No. 2480

House Bill No. 2608*

by deleting all language after the enacting clause and substituting:

SECTION 1.

(a) This act is known and may be cited as the "Tennessee Broadband Investment Maximization Act of 2022."

(b) It is the intent of the general assembly to maximize the impact of the historic public and private sector investments in broadband anticipated to be made in this state during the next five (5) years.

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 6, Part 3, is amended by adding the following as a new section:

67-6-350. Tennessee broadband equipment and services moratorium.

(a) Beginning January 1, 2023, through December 31, 2028, there is exempt from the sales and use tax imposed by this chapter purchases and leases of all equipment, machinery, software, ancillary components, appurtenances, accessories, or other infrastructure that is used in whole or in part to:

(1) Produce broadband communications services, including broadcasting, distributing, sending, receiving, storing, transmitting, retransmitting, amplifying, switching, providing connectivity for, or routing communications services; or

(2) Provide internet access.

(b) As used in this section:

(1) "Broadband communications services" means:

- (A) Telecommunications services;
- (B) Mobile telecommunications services;
- (C) Video programming services; and
- (D) Direct-to-home satellite television programming services;

(2) "Equipment" includes, but is not limited to, wires, cables, fiber, conduits, antennas, poles, switches, routers, amplifiers, rectifiers, repeaters, receivers, multiplexers, duplexers, transmitters, circuit cards, insulating and protective materials and cases, power equipment, backup power equipment, diagnostic equipment, storage devices, modems, and other general central office or headend equipment, such as channel cards, frames, and cabinets, or equipment used in successor technologies, including items used to monitor, test, maintain, enable, or facilitate qualifying equipment, machinery, software, ancillary components, appurtenances, accessories, or other infrastructure that is used in whole or in part to provide broadband communication services or internet access; and

(3) "Internet access":

(A) Means a service that enables users to connect to the internet to access content, information, or other services offered over the internet;

(B) Includes:

(i) The purchase, use, or sale of telecommunications by a provider of internet access to the extent the telecommunications are purchased, used, or sold to:

(a) Provide the internet access service; or

(b) Otherwise enable users to access content, information, or other services offered over the internet;

(ii) Services that are incidental to the provision of internet access when furnished to users as part of the internet access

service, such as a home page, email and instant messaging, to include voice- and video-capable email and instant messaging, video clips, and personal electronic storage capacity; and

(iii) A homepage, email and instant messaging, to include voice- and video-capable email and instant messaging, video clips, and personal electronic storage capacity, that are provided independently or packaged with internet access; and

(C) Does not include voice, audio, or video programming, or other products and services that utilize internet protocol or a successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services for internet access.

SECTION 3. The heading in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.